

**THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3<sup>RD</sup> FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, JUNE 20, 2006 AT 3:55 P.M.**

**PRESENT:** Chairman Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

**OTHERS:** Attorney Greg Fifer, Brian Dixon, EMC, Tina Haley, and Deputy City Clerk Vicki Glotzbach.

**CALL TO ORDER:**

**Mayor Garner called the meeting to order as 3:55 p.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Solomon stated that on page 2, it states that Mr. Hipsher is current on his water and sewer and bill and that is not true. He is current on his water bill but still owes back money.**

**Mr. Solomon moved to approve the minutes of June 6, 2006 meeting minutes as amended, Mr. Utz second, all voted in favor with the exception of Mr. Seabrook who abstained.**

**COMMUNICATIONS - PUBLIC:**

**Mr. Marty Bachman, Blackberry Ridge, was present to request a building permit.**

**Mayor Garner explained that Mr. Bachman wanted to know if he could get a building permit without physically having a letter back from IDEM.**

**Mr. Fifer asked when Mr. Bachman would need to make a connection to the sewer main.**

**Mr. Bachman replied that it would take them three months to build the house.**

**Mr. Fifer asked Mr. Bachman to agree to not to make a connection of the house to the sewer and Mr. Dixon would not need to inspect it until credits are awarded.**

**Mr. Bachman agreed.**

**Mayor Garner stated that he would notify the building commissioner of that.**

**COMMUNICATIONS - CITY OFFICIALS**

**None**

**SEWER ADJUSTMENTS:**

**Item #1 – Charles Hipsher, 1234 Slate Run Road**

**Ms. Welsh presented and explained information reflecting where she is with INAWC on Mr. Charles Hipsher's account. Said account has been put on hold until October 1, 2006 due to Mr. Hipsher's accident.**

**Item #2 – Garry Pate, 3105 Pebble Hill Court, adjustment request of \$673.17.**

**Ms. Welsh** presented the request.

**Mr. Solomon** brought to the board's attention that Mr. Pate's letter stated that water was being pumped directly into the sewer drain. He stated the Mr. Pate may have misspoken but he would like this investigated further before he agrees to an adjustment.

**Item #3 – Lisa Brindle, 718 W. Spring Street, re: adjustment request of \$1,287.58.**

**Ms. Welsh** stated that this adjustment came in late and was put on the board member's desks today.

**Mr. Solomon** stated that he usually takes about 15 minutes to look these over and he would prefer to have a deadline on these. He would prefer that they have to wait until the next meeting if they do not make the packet.

**Mr. Fifer** further recommended that adjustments only be done at one meeting per month.

**Mr. Utz** suggested raising the amount that Ms. Welsh can make decisions on.

**Mr. Fifer** asked that Ms. Welsh document adjustments that she makes decisions on to include them in the packet to keep on file of the official records in the clerk's office.

**Mr. Solomon motioned to allow Ms. Welsh to make decisions on adjustments in the amount of \$500 or less, Mr. Utz second, all voted in favor.**

**There was a discussion regarding Applebee's and Ms. Welsh stated that she would look further into this issue.**

**Mr. Solomon** asked if the Meijer's situation is taken care of.

**Ms. Welsh** replied that it is taken care of.

**Mr. Solomon** asked about response time from Keystone.

**Ms. Welsh** stated that response time sometimes is longer than they would like but they do always call back.

**Mr. Solomon** asked how the mailing house service is going.

**Ms. Welsh** reported that they have met all expectations.

**Mr. Solomon** asked how far behind they are running on Silver Creek.

**Ms. Welsh** replied that they are caught up.

**Mr. Solomon** asked if we are receiving water usage from Floyds Knobs Water.

**Ms. Welsh** replied yes.

**Mr. Solomon** thanked Ms. Welsh for checking into all of his questions.

**Ms. Welsh** discussed late fees and how INAWC interprets the policy for billing late fees. She added that State Board of Accounts gave her a statute that she forwarded to INAWC to make them bill for the unpaid amount.

**Mr. Utz** asked if INAWC furnishes us with the total number of customers that they bill.

**Ms. Welsh** replied that it varies month to month.

**Mr. Utz** asked Ms. Welsh if she felt that figure was accurate.

**Ms. Welsh** replied not really.

**Mayor Garner** explained the billing cycle and how some customers could possibly not be billed one month.

**Ms. Welsh** updated the board on the collection of fees from the Wash n' Shine car wash on Charlestown Road to get them current.

**Mr. Fifer** asked Ms. Welsh to keep him updated on that situation.

**Chad McCormick** discussed in detail the stormwater policy that would give Ms. Welsh the authority to consolidate two or more parcels that act as one property and bill those parcels as one property.

**Mayor Garner** gave an example of the school system receiving 50 bills but does not have 50 schools in the city.

**Mr. Seabrook motioned to approve the multiple parcel policy, Mr. Solomon second, all voted in favor.**

**Mr. McCormick** then discussed the policy on condominiums being incorrectly billed as commercial instead of residential. He explained that it establishes that if the client is already receiving one bill for sewers then they can continue to receive one bill for stormwater. He added that instead of each condo receiving an individual bill; it can be taken over by the condominium association.

**Mr. Seabrook motioned to approve the condominium policy, Mr. Solomon second, all voted in favor.**

**Mr. McCormick** presented more information to be included in the next sewer board and city council packets.

**Mr. Fifer** stated that he received the technical service agreement to work with the soil & water office on enforcement and asked Mr. McCormick if that was something that could wait until the stormwater board is formed so that could deal with it.

**Mr. McCormick** replied that it really depends on when the board is seated.

**Mr. Fifer** stated that if it becomes critical, just let him know and this board can deal with it.

**Ms. Welsh** stated that stormwater billing will go out on July 7 for April thru July and wanted to confirm that was correct.

**Mayor Garner** stated that it would be for February thru May. He added that there would be an explanation of error mailing as well as information on the stormwater program going out with those.

### **NEW BUSINESS:**

#### **Item #1 – Warren Nash, New Albany Floyd County Solid Waste**

**Mr. Nash** reported on Tox-A-Way Day and stated that it went very well. He explained that he is trying to get a grant for a permanent facility so that the special day could be eliminated and have it on a regular basis. He added that would save a considerable amount of money if they had a permanent site. He explained the information that he presented which is on file in the city clerk's office.

**Ms. Haley** stated that Prexes Healthcare on Reas Lane called and wanted to know if they could get a letter stating that once credits become available, they would be credited.

**Mayor Garner** stated that they could provide him with a letter quoting that the policy is that commercial properties in the city receive credits first.

**Item #2 – Dan Spurlock, Titan Energy, re: electrical costs savings**

**Mr. Spurlock** did tests on the motors and put together some numbers and found that they could save \$850.00 per month. He stated that the savings were a little over \$1,100.00 per month. Proposed cost for the four motors is \$10,176.00

**Mr. Seabrook** asked if that included installation.

**Mr. Spurlock** replied yes.

**Mr. Sartell** recommended that the board approve the installation.

**Mr. Solomon** stated that he would like a spreadsheet report.

**Mr. Spurlock** agreed to provide that.

**Item #3 – Mark Winternhimer re: signing of plat for phase II of Autumn Hills**

**Mr. Winterhimer was not present.**

**Item #4 – Charles Murphy for Lodgekeepers III re: sewer reimbursement**

**Mr. Murphy** requested that this item be tabled until the next meeting.

**Item #5 - Charles Murphy for Wanda Clark re: Kid's Club**

**Mr. Murphy** requested that this item be tabled until the next meeting.

**OLD BUSINESS:**

**Item #1 – Clark Dietz re: Sewer Impact Study Agreement**

**Mr. Hans Peterson** explained the agreement in detail to the board.

**Mr. Solomon** stated that the one thing he didn't specifically see mentioned on the sewer impact analysis reports is the gave access to consider all proposed developments that build out when doing those capacity analyses. He also requested that the board get copies of all reports generated.

**Mr. Fifer** stated that if a developer wants one of these capacity studies, a \$2,000.00 fee must be paid upfront before we tell them to do that work.

**Mr. Solomon motioned to approve the sewer impact study agreement, Mr. Kochert second, all voted in favor.**

**Mr. Solomon motioned to require contractors to pay the \$2,000.00 impact analysis fee upfront prior to analysis being done by Clark Deitz, Mr. Kochert second, all voted in favor.**

**Mr. Utz** recommended a formal letter to implement that second motion so we can make contractors aware of what all is required. He asked Ms. Haley to draft the letter.

**Ms. Haley** agreed to do so.

**Mr. Solomon** asked about the spreadsheet that was requested setting out the developments.

**Mr. Peterson** passed out the requested spreadsheet and explained it in detail.

**Mr. Solomon** asked about Wright Woods on Kensing Road and why they weren't on the list.

**Ms. Haley** stated that they had already received credits.

**Mr. Fifer** stated that we have to take work in progress as a given and then prospectively give EPA assurance that we are not going to overflow.

**Mr. Solomon** stated that he feels that we need to start treating EPA like a client and submit reports to them.

**Mr. Fifer** stated that they do send a monthly report and could implement this report as well.

**Item #2 – Clark Dietz re: Amendment #4**

**Mr. Solomon** stated that he would prefer to have the Robert E. Lee pump station and force main included in this and proceed with them.

**Mr. Utz** stated he thinks Mr. Solomon's concern is that if we don't go ahead and proceed with those then we could have some very bad repercussions.

**Mr. Solomon** explained that if we improve the interceptor and still have problems with overflows then we will have to wait until the project is complete and overflow free for one year before we can receive the additional 320,000 credits.

**Mr. Christmas** stated that he wanted to alleviate Mr. Solomon's fears and explained how he sees this issue.

**Mr. Solomon** stated that he would still prefer to have that project added in.

**Mr. Christmas** stated that they could make that amendment.

**Mr. Dixon** suggested that they bring back two contracts and let the board vote on the one they want and the board agreed.

**Item #3 – Clark Dietz re: Robert E. Lee Interceptor Project**

**Mr. Christmas** stated that he wanted to recommend Team Services for this project in the amount of \$799,000.00.

**Mr. Solomon** stated that he will not vote until there is a signed contract with Georgetown.

**Mr. Fifer** asked how long the bid is good for.

**Mr. Christmas** stated 90 days which makes the date August 9<sup>th</sup>.

**Mr. Utz** asked if we could have a signed contract with Georgetown within the next two weeks.

**Mr. Fifer** stated that he would've thought that they would have one by now.

**Mr. Utz** stated that he would like for Mr. Griffin to come to one of their meetings to answer questions.

**Mr. Solomon** stated that is what he would prefer.

**Item #4 – Greg Fifer re: Georgetown Settlement**

**There was a lengthy discussion regarding the Georgetown contract and when we will receive payment from them.**

**Mayor Garner stated that they will try to have an executive session on the 5<sup>th</sup> of July to discuss the settlement.**

**Item #5 – Donohue re: Capacity Analysis Project**

**Mr. Paul Elling** stated that his purpose for being present was to speak with the board about the capacity analysis. He stated that they have run into a situation in the development where one of the phases of work is impossible for them to complete at this point and they are looking for feedback from the board. He presented the board with a drainage basin study of the city and explained it thoroughly and discussed the areas where they still have missing information. He requested that either Donahue and/or EMC be authorized to complete the work.

**Mr. Dixon** stated that he contacted Nathan Grimes with Renaissance who has the capability to gather the information necessary with the GPS system and was just basically waiting for an updated map which he has now so that he wouldn't gather information that we already have. He stated that Mr. Grimes is willing to do the work.

**Mr. Elling** then explained the mapping.

**Mayor Garner** stated that he has a quote for time and material.

**Mr. Solomon** asked Mr. Dixon if he has seen Mr. Grimes' fees and if they are reasonable.

**Mr. Dixon** replied that he doesn't recall exactly what they were but that they were reasonable.

**Mr. Solomon motioned to contract Renaissance to collect missing data for the capacity analysis project and to work with Mr. Dixon to identify the areas of missing data, Mr. Utz second, all voted in favor.**

**Item #6 – Capital improvements project**

**Mr. Solomon** presented a sample spreadsheet setting out capital improvements projects that he drafted and explained how important he feels this list is. He also discussed each project briefly.

**Mr. Kochert** stated that we took \$5 million out and that is what should be put back.

**Mr. Dixon** explained the Lewis Street project.

**Mr. Solomon** asked that the members look to over this list and discuss it at the next meeting.

**Mr. Seabrook** stated that he has personally been visited by the EPA and he doesn't know what they are looking for and he is not comfortable spending a large amount of money until he knows what direction the EPA is going. He also stated that the minute the EPA guy's card came across his desk, he called both Greg Fifer and the Mayor and neither knew anything of what is going on.

**There was a lengthy discussion regarding the EPA inquiries and moving on with the projects.**

**Mr. Solomon** stated that he fully intends to vote on these projects because there has been nothing presented to him that leads him to believe that there is any reason for him not to pursue these projects. He added that if he learns of anything in the future that he is not aware of, he will have to make a judgment at that time but he now sees absolutely

nothing to make him back off of the projects.

**Mr. Seabrook** stated that he is not asking anyone to back off; he is just bothered by what credibility the EPA gentleman was sent here on. He also stated that there are two perspective here – those that have been interviewed and those that haven't. He just wants to go on record as saying that he doesn't know what he is going to do yet but if he does not vote on the projects, it is not for lack of confidence in the projects or that he doesn't really think they need to be done.

**Item #7 – Rate Study/Finances**

**Item #8 – Donohue re: Bar Screen Project update**

**Mr. Peterson** stated that the screen project is going well and updated the board on that project. He explained that bar screen #2 was tested in the automatic and manual modes.

**Mr. Fifer** asked if we would have a rain event such as we had yesterday, we could expect the bar screen would be effective and no overflows should occur due to the screen getting clogged. He also asked Mr. Christmas when he should contact EPA to let them know of the improvement.

**Mr. Peterson** replied that should an overflow occur in that area, it would be due to some other reason than the bar screen getting clogged. He also stated that he would wait until after the 5 day demonstration period to contact EPA.

**Mr. Peterson and Mr. Fifer discussed Mr. Holman's problem and Mr. Fifer asked that Mr. Peterson extend an apology to Mr. Holman on his behalf due to information that he was not aware of when he brought his problem forward.**

**Item #9 – Clark Dietz re: spread sheet for developments larger than 15,500 GPD**

**Item #10 – Donohue re: Basin 35 improvements**

**Mr. Elling** stated that the master plan builds upon what is being done in the capacity analysis which simply looks and identifies what available capacity exists. He stated that it doesn't tell you what you need to make these sewers and how big they need to be. He explained the drawing that he presented to the board and spoke about the completion of Basin 35 versus completing Basins 35 thru 40 at this time.

**Mr. Dixon** asked him to explain why he needed further mapping.

**Mr. Elling** explained that the mapping was to reflect new developments that have occurred since the previous mapping was completed which was in 2000.

**Mr. Dixon** asked about flow monitoring data.

**Mr. Elling** stated that they are using the 2000 flow monitoring data unless the board wants to acquire newer data.

**Mr. Dixon** explained that if they want additional flow data, they would have to get flow meters and find out where they need to be put in.

**There was a lengthy discussion regarding the process of getting additional updated flow data.**

**Mr. Solomon** stated that he feels comfortable with using the 2000 data with the improvements that we know have been. He added that we should spot check a couple of flows and then check the calibration at the bottom of those flows.

**Mr. Elling** gave a rough estimate on completing Basins 36 thru 40.

**Mr. Solomon** stated that he feels the estimate is high and wanted Mr. Elling to look over it. He also stated that if they do partial projects, he is afraid they will be sorry.

**Mr. Elling** stated that they would look at it and get back with the board at the next meeting.

**Mark McCormick, Melhiser, Endres & Tucker**, presented the June report on the wastewater utility and went through the entire report in detail with the board. Said report is on file in the city clerk's office.

**There was a lengthy discussion of the June report.**

**Mr. McCormick** stated that the bond payment is due in September and we are breaking really close to even.

**Mr. Fifer** asked if that figure is close enough that he needs to check out other avenues rather than drawing from the bond reserve account that was set up.

**Mr. McCormick** replied that he believes that the board needs to look at another possible source to keep from going into a temporary deficit.

**Mr. Fifer** asked the board if they want to grant him authorization to do initial legwork to figure out what needs to be done if necessary.

**Mr. Solomon motioned to authorize Mr. Fifer to check into other sources, Mr. Utz second, all voted in favor.**

#### **EMC REPORT:**

##### **Item #1 – Rob Sartell re: Tort Claims**

**Mr. Sartell** went over the tort claim for Kevin Zurschmiede, 1743 Culbertson Avenue. He stated that on May 19<sup>th</sup> we experienced a 2.5 inch rainfall in a two hour period and the sewers became inundated with stormwater which caused damages in the amount of \$15,262.00.

**Mayor Garner** stated that no other claims have been paid for that date because it was a 27+ year rain event.

**Mr. Solomon** asked shouldn't we reject claims in excess of our design flow.

**Mr. Fifer** stated that is why people should be buying the rider because as long as there is no negligence evident on the city's part, these claims will not be approved.

**Brian Dixon** presented the board with photos of Basin 3 and explained that some I/I is going into the line. He also showed that some raccoons are getting in as well. He also discussed that Circle K has a permit and is going to be pumping water at 25 gallons per minute which equates to about 36,000 gallons per day and wanted to know if the board wants to charge them a monthly rate.

**Mr. Solomon** stated that there are problems at Falling Run and we do not need 36,000 gallons a day there. He added that the board advised them to get an easement through the property next to them and if they can't work it out, he doesn't know what to tell them.

**Mr. Dixon** stated that he would go out to see if there is another way they can get to the creek.

**Mr. Kochert** stated that he has contacted Mr. Dixon and Mr. Sartell regarding McDonald Lane because it is still belching.

**Mr. Sartell** stated that they should know what the levels are by the end of the week.



**Item #2 – EMC Electrical Contract Adjustment**

**Mr. Sartell** presented the board with a proposal for the gas and electric to be discussed at the next meeting.

**CLAIMS:**

**ADJOURNMENT:**

There being no further business before the Sewer Board, the meeting adjourned at 7:00 p.m.

Respectfully submitted,

---

Mayor James Garner, Chairman

---

Vicki S. Glotzbach, Deputy City Clerk